

Message Text

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72

ACTION AF-18

INFO OCT-01 ISO-00 IO-14 CIAE-00 DODE-00 PM-07 H-03 INR-11

L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 DRC-01 /109 W

----- 096611

R 161615Z AUG 74

FM AMEMBASSY CAPE TOWN

TO SECSTATE WASHDC 3957

INFO AMCONSUL DURBAN

AMEMBASSY GABORONE

AMCONSUL JOHANNESBURG

AMEMBASSY MASERU

AMEMBASSY MBABANE

AMEMBASSY PRETORIA

LIMITED OFFICIAL USE CAPE TOWN 0449

E.O. 11652: N/A

TAGS: SOCI, PFOR, SF, US

SUBJECT: PROPOSED LEGISLATION TO FACILITATE EQUAL
ACCOMMODATIONS FOR FOREIGN BLACKS VISITING
SOUTH AFRICA

1. IN JUNE, EMBASSY INFORMED AF/S THAT SAG OFFICIAL HAD
INFORMED US SOME CHANGE IN EXISTING LAWS WOULD BE MADE
DURING THIS SESSION OF PARLIAMENT IN ORDER TO PROVIDE THAT
FOREIGN BLACKS VISITING SOUTH AFRICA WOULD RECEIVE
NON-DISCRIMINATORY TREATMENT WITH RESPECT TO USE OF
FACILITIES AT WHITE SOUTH AFRICAN HOTELS. LAST WEEK
"LIQUOR AMENDMENT BILL" WAS INTRODUCED IN THE HOUSE OF
ASSEMBLY. IT PROVIDES FOR CERTAIN CHANGES REGARDING THE
EXEMPTION OF PERSONS FROM APPLICATION OF LIQUOR ACT OF
1928. OFFICIAL IN MINISTRY OF JUSTICE TOLD POL COUNSELOR
THAT NET EFFECT OF BILL WILL BE TO PROVIDE THAT FOREIGN
BLACKS VISITING SOUTH AFRICA WILL BE ABLE TO MAKE FULL
USE OF FACILITIES OF WHITE HOTELS.

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2. AFTER INTRODUCING BILL, MINJUSTICE KRUGER REFERRED IT TO A SELECT COMMITTEE OF PARLIAMENT AND INSTRUCTED COMMITTEE TO INQUIRE INTO AND REPORT ON "THE SUBJECT OF THE ADMISSION OF SOUTH AFRICAN NON-WHITES TO PREMISES IN RESPECT OF WHICH ON-CONSUMPTION LICENSES HAVE BEEN ISSUED UNDER THE LIQUOR ACT AND WHICH ARE INTENDED FOR OCCUPATION BY WHITES, AND THE SUPPLY OF ACCOMMODATION, MEALS, LIQUOR FOR ON-CONSUMPTION, REFRESHMENTS AND OTHER FACILITIES OT NON-WHITES ON THOSE PREMISES.5

3. THUS, ALTHOUGH THE BILL IS CONFINED TO PROVIDING MORE COMPREHENSIVE EXEMPTIONS TO LIQUOR ACT FOR FOREIGN BLACKS, KRUGER'S INSTRUCTIONS TO THE SELECT COMMITTEE INDICATE WILLINGNESS OF SAG TO CONSIDER THE QUESTION OF USE OF HOTEL FACILITIES FOR ALL BLACKS IN THE REPUBLIC.

4. DEPARTMENT OF FOREIGN AFFAIRS OFFICIAL TOLD EMBOFFS AUGUST 16 THAT LIQUOR AMENDMENT BILL "DEFINITELY SPEAKS TO PROBLEM" ENCOUNTERED LAST YEAR (SAUNDERS' INCIDENT). HE SAID THAT BILL HAD BEEN REFERRED TO SELECT COMMITTEE SO THAT PARLIAMENTARIANS MIGHT WORK OUT RATIONALIZATION FOR ALLOWING FOREIGN BLACKS PRIVILEGES DENIED TO SOUTH AFRICAN BLACKS. HE DID NOT COMMENT ON KRUGER'S INSTRUCTIONS CONCERNING INQUIRY OF SUBJECT OF ADMISSION OF SOUTH AFRICAN BLACKS TO PREMISES OF WHITE HOTELS.

5. WHILE LIQUOR AMENDMENT BILL AWAITS PARLIAMENTARY APPROVAL, SAG HAS ALREADY PUT MAJOR POINTS OF BILL INTO EFFECT BY MEANS OF A DIRECTIVE FROM DEPARTMENT OF JUSTICE. JULY 23 MEMORANDUM TO HOTEL OWNERS FROM SECRETARY OF JUSTICE COETZER STATES THAT PROVISIONS OF LIQUOR ACT OF 1928 SHOULD NOT RPT NOT BE CONSTRUED TO APPLY TO FOREIGN "NON-WHITES." IN EFFECT MEMORANDUM ALLOWS HOTELS TO OFFER ACCOMMODATIONS, DINING FACILITIES AND BAR SERVICES TO FOREIGN BLACKS WITHOUT NECESSITY OF SECURING PRIOR PERMISSION ON CASE-BY-CASE BASIS, WHICH HITHERTO HAD BEEN STANDARD PROCEDURE. HOTELS WHICH DO NOT WISH TO ACCOMMODATE OR SERVE FOREIGN BLACKS, HOWEVER, ARE NOT RPT NOT OBLIGED TO DO SO BY TERMS OF THE MEMORANDUM.

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Disposition Authority: CollinP0
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